

RECEIVED  
CENTRAL FAX CENTER

AUG 18 2006

LAW OFFICE OF  
Charles W. Bethards, LLP  
P.O. Box 1622  
Colleyville, Texas 76034Telephone No. 817-581-7005  
Cell Phone No. 817-999-4784Fax No. 817-281-7136  
Bethards@bethardslaw.com**FACSIMILE TRANSMISSION**Date: 8/18/2006

Pages: 14 w. cover

To: Examiner Jefferey F. Harold

From: Charles W. Bethards

Company: USPTO, Art Unit 2614

Fax No.: 571-273-8300

Subject: Response to May 18, 2006 Office Action: App. Serial No. 10/686,085

- Amendment under CFR 1.111 (11 pages)
- PTO form SB/06 Patent Application Fee Determination form
- Credit Card authorization

Applicant(s): Michael D. Kotzin Serial No.: 10/686,085 Filed: October 15, 2003 Title: METHOD AND APPARATUS FOR SELECTING AN ALERT MODE BASED ON USER BIOMETRICS	Atty. Dkt.: CS21978RA/10-178 Group Art Unit: 2614 Examiner: Jefferey F. Harold
<b>CERTIFICATE OF FACSIMILE TRANSMISSION under 37 CFR 1.8</b> I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-8300 on August 18, 2006 to the attention of Examiner Jefferey F. Harold of AU 2614. Typed Name: Charles W. Bethards Signature: <i>Charles W. Bethards</i>	

The information contained in this facsimile transmission is intended only for the above-indicated addressee, and may contain privileged and confidential attorney work product or trade secret information. Any dissemination, distribution or copying of any part of this transmission is strictly prohibited. If you have received this transmission in error, please immediately notify the sender, and return the transmission to the sender at the above-indicated address.

AUG 18 2006

PTO/SB/06 (12-04)

Approved for use through 7/31/2008. OMB 0661-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PATENT APPLICATION FEE DETERMINATION RECORD**  
Substitute for Form PTO-875Application or Docket Number  
**10/686,085****APPLICATION AS FILED - PART I**

(Column 1)		(Column 2)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)		RATE (\$)	FEE (\$)
BASIC FEE (37 CFR 1.18(a), (b), or (c))	N/A	N/A	N/A			N/A	
SEARCH FEE (37 CFR 1.18(a), (j), or (m))	N/A	N/A	N/A			N/A	
EXAMINATION FEE (37 CFR 1.16(p), (q), or (r))	N/A	N/A	N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X	=	OR	X	=
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X	=		X	=
APPLICATION SIZE FEE (37 CFR 1.16(e))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))			N/A			N/A	
			TOTAL			TOTAL	

\* If the difference in column 1 is less than zero, enter "0" in column 2.

**APPLICATION AS AMENDED - PART II**

(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(j))	20	Minus **	20	X	=	OR	X	=
Independent (37 CFR 1.16(p))	4	Minus ***	3	X	=	OR	X 200 =	\$200
Application Size Fee (37 CFR 1.16(e))								
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				N/A		OR	N/A	
				TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	\$200

  

(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(j))	*	Minus	**	X	=	OR	X	=
Independent (37 CFR 1.16(p))	*	Minus	***	X	=	OR	X	=
Application Size Fee (37 CFR 1.16(e))								
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				N/A		OR	N/A	
				TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.18. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

AUG 18 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/686,085  
Applicants: Michael D. Kotzin  
Filed: October 15, 2003  
TC/A.U.: 2614  
Examiner: Jefferey F. Harold  
Docket No.: CS21978RA/10-178  
Customer No.: 51874

Confirmation No. 7269

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-8300 on August 18, 2006 to the attention of Examiner Jefferey F. Harold of AU 2614.

Typed Name: Charles W. Bethards

BEST AVAILABLE COPY